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**R E F L E C T I O N S**  
**UPON THE**  
**P R E S E N T D I S P U T E**  
**BETWEEN THE**  
**HOUSE of COMMONS**  
**AND THE**  
**MAGISTRATES of LONDON.**

[Price One Shilling.]

REVISIONS

REVISIONS

UPON THE

PRESENT DISPUTE

THE

HONORABLE COMMONS



AND THE

MAGISTRATES OF LONDON

[Price One Shilling]

1k. Great Britain, Commons, House  
of.

# REFLECTIONS

UPON THE

PRESENT DISPUTE

BETWEEN THE

HOUSE of COMMONS

AND THE

Magistrates of London.



LONDON:

Printed for S. BLADON in Pater-noster-Row.

MDCCLXXI.

REFLECTIONS

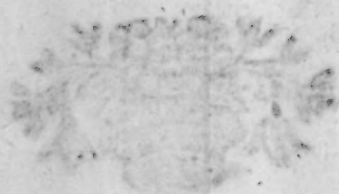
PRESENT DISPUTE



HOUSE OF COMMONS

AND THE

MAGISTRATES OF LONDON



LONDON:

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THE WORK

UPON THE

Subdivision 1. The following are the names of the persons who have been appointed as members of the Board of Directors of the State of New York:

BETWEEN THE

HOUSE OF COMMONS

AND THE

MAGISTRATES of LONDON.

THE safest and shortest way to get at truth upon any constitutional question, is to recur to first principles ; because these are generally simple, and the experience of centuries has put the justice of them to the test. Perhaps the following Reflections upon the merits of the present dispute between the House of Com-

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mons and the Magistrates of London may shew the truth of this observation.

The various civil orders of the state in England are, the King, the House of Lords, the House of Commons, the Courts of Justice, Corporations, and Individuals. The four first of these orders make or apply the laws; the two last are the objects of the laws.

Each of these orders has its rights.

The power of the King and of the two Houses assembled in Parliament is, not only in parliamentary language, but in the language of all the law-books from the origin of the Monarchy, transcendent and unbounded. In the nature of things it must be so. In every government absolute power must be lodged somewhere. For government cannot subsist without obedience; and no obedience is to be expected

pected without a power to enforce it. In a democracy absolute power is lodged with the people, in an oligarchy with the nobles, in a monarchy with the King: In Britain it is lodged with the Commons, Nobles, and King, in Parliament assembled; and its voice is known by the acts it promulgates.

The rights of the King are described by many great instruments of government, which have been framed at different times, and during a long revolution of ages, from Magna Charta down to the Act of Settlement. These rights, *so far as they go*, are fixed, are not subject to controul, and are unchangeable, except by that sovereign parliamentary power to which all orders of the state in England must submit.

The House of Lords and the House of Commons have also their rights and powers, like all other political assemblies,



blies, and to which they are more particularly intitled from the greatness of the individuals who compose the one House, and the majesty of that body of Commons who are represented in the other. Among other powers they have that, common to all great political assemblies and courts, of making orders concerning their own forms of proceeding; and consequently of punishing all who infringe these orders, and among others, their own members, if, by infringing the orders of the body to which they belong, which is adding contempt and insult to disobedience, they aggravate the offence. This power makes a part of the law of the land. In common language it is called *privilege of Parliament*: In legal language it is called, by Lord Coke, *Lex et consuetudo Parliamenti*: And the extent of it, he says, is to be gathered from "the rolls of Parliament, " and other records, from precedents, " and continual experience." Charles the



the Second, in his appeal to his people against the proceedings of two Houses of Commons, acknowledged that they had this power where their privileges were infringed. Sir William Jones, at the head of the Whigs, in his answer to that appeal, maintained that they had a power of committing even in cases where their privileges were not concerned. When the House of Lords framed a resolution against the powers of the Commons in the case of Ashby and White, in the reign of Queen Anne, they only objected to the creation of new privileges, but acknowledged the validity of those which were "warranted by known customs" and law of Parliament." As one of the great branches of the law of the land, this power in the Commons is, *so far as it goes*, subject to no controul, except from that Parliament which, binding the King and the people, holds the Houses of Lords and of Commons in the same state of subjection. But though this power is subject to no other controul within

within its line; like other great branches of the law it has its line. It is bounded by *record, precedent, continual experience*, in short, by the accumulated wisdom of ages; the surest bounds of law, and much better securities for the subject, than the humours and fancies of that part of the Common Council of London, which now sets itself up in opposition to one of the Houses of Parliament.

Courts of justice, tho' invested with great powers, have in this country in the same manner their limits. They are bound to yield to the common and the statute law; both of which derive their authority from the great council of the nation, with this only difference, that the one is beyond record, and the other within it; to the *Lex Parliamenti* as settled by precedent; and to certain rules of interpretation, determined by their own decisions, and not inconsistent with the other three. Where the common law, the  
statute

statute law, or the *Lex Parliamenti* are clear, courts of justice give way to them; where they are obsolete, courts neglect them; where they are doubtful, courts interpret them.

Individuals and corporations have, in this system of universal dependance, and yet of freedom, likewise their rights founded in the four sources of law I have mentioned; nor is there any difference in this respect between an individual and a corporation. Both are equally the objects of impartial laws, and equally subject to them. When Englishmen claim a freedom independent of the laws, and derived from ideas of natural independency, they renounce their allegiance to the constitution of England, which is the absolute dominion of free laws over free men, and recur to a state of nature in which all men are equal; a state in which the powers of Parliament, with all the laws they have made, must pass for mere usurpations, and



and in which the property of individuals will be accounted no more than fraudulent abstractions from the stock of the community at large.

The only difficulty in ascertaining the rights of these different orders of the state, arises from the peculiar situation of the House of Commons; for two reasons. The one is, that the House of Commons being the grand inquest of the nation, and as such intitled, and indeed bound to enquire into all political malversations, over all persons, in all places, and with power to call for witnesses, papers, and records, its power may appear, upon extraordinary occasions, as extensive and as undefinable as its objects. The other is, that the House of Commons being the barrier of the people against the encroachments of the crown, the crown may have narrowed their powers too much at some particular periods, and the people supported them too far at others. But  
 whatever



whatever doubt may arise concerning the extent of their powers upon extraordinary occasions, or from the limitation or extension of them during particular short periods, there can be no doubt that; so far as the Commons protect their own rules, made concerning their own forms of proceeding, and so far as in doing so they follow uninterrupted precedents, they act within their powers; because the King, the Parliament, the courts of justice, the people, all, except a part of the Common Council of London within these few days, have acknowledged, for ages past, that such powers belong to their branch of the legislature.

Such are the various civil orders and rights of this kingdom; and, would to God, that, with all their imperfections, they were as immortal as the seas which roll around it.

In the exact preservation of these, the harmony of the English constitution consists. In the times of the wars of the Barons this harmony was disturbed, because the Barons usurped upon the rights of the crown. In the reigns of the Princes of the Tudor race it was disturbed, because these Princes invaded the rights of all the other orders of the state. In the end of the reign of Charles the First it was disturbed, because the House of Commons trampled upon the monarchy and the Peerage. Perhaps in the reign of Charles the Second it was, for one session, disturbed, when the House of Commons punished individuals and members of corporations, in a manner not warranted by the *Lex Parliamenti*, and without *precedent, record, continual experience* on their side. It was disturbed in the middle of the last century, when the people destroyed the King and the Parliament. And it will run a risk of being disturbed again,

again, when individuals shall fancy that they have rights independent of the laws, complain of those laws which other nations envy, and curse those judges who cover them with blessings. But this risk will be double, if, at the very same period, corporations shall refuse obedience to the *Lex Parliamenti*, shall pretend to measure themselves with the House of Commons, and shall attempt to pull down those privileges which are the foundation of their own.

If the question between the House of Commons and the Magistrates of London be tried by these principles, it will not be of difficult discussion.

The House on different occasions have made various orders against printing the speeches of their members: A printer disobeyed these orders. The House ordered him to attend them: He paid no regard to their order.



They sent their officer into the city to seize and bring him to their bar. The officer did his duty, by taking him into custody: But the City Magistrates, two of whom were at the same time members of the House, granted a warrant of commitment against him; and the Commons have punished them for so doing.

Two apologies are made for the printer and the magistrates: One, that the House of Commons had no authority to take the printer into custody at all; the other, that they had no authority to seize him in the City, without the interposition of the City Magistrates, in aid of the warrant.

With regard to the first of these apologies; the House of Commons, in what they did, have kept strictly *within their powers*: They have done only what every court in the nation has a right



right to do. A power in a political assembly or a court to make rules concerning the conduct of their proceedings, implies a power to make those answerable who transgress them; and the right to do so, becomes double in strength, when the transgressors are themselves members of the body which they affront. The Commons are warranted too by *record, precedent, continual experience*: For the instances in the Journals are innumerable, in which they have, with the same spirit, vindicated their authority. Twice only in the course of five centuries, to wit, in the years 1680 and 1701, has the power of the House of Commons, to commit others than their own members, been disputed. But the House then resolved, "That to assert  
 " the House of Commons have no power  
 " of commitment but of their own  
 " members, tends to the subversion of  
 " the House of Commons." Journals,  
 26 February 1701.

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The resolution of the House of Lords in the case of Ashby and White contradicts none of the principles I have mentioned. A vote of the House of Commons had declared, that the right of election in the borough of Aylesbury was in the inhabitants not receiving alms. The constables rejected the votes of some electors who did not receive alms. These electors brought an action of damages at common law against the constables. The majority of the House of Commons accounted this a breach of privilege. But many great names held it to be none. Sir Joseph Jekyll, in the debate, declared, that the action, instead of being in opposition to the privileges of the House, was in direct pursuance of them; for that it was meant to ask the assistance of the common law, not to contradict, but to support a vote of the House of Commons. The House of Lords thought as these last thought, whether rightly  
or

or not, is of no importance to the present question; for it is plain, the dispute was concerning the application of the right to a particular question, not concerning the right itself. The majority and the minority of the House of Commons, and the House of Lords, all equally acknowledged the right of the Commons to assert the privileges which belonged to them.

With regard to the other apology, the Commons acted *within their powers*; for the law of England knows no sanctuaries for those who withstand the authority of Parliament. They acted by *record, precedent, continual experience*: For the instances are numerous in the Journals, in which the Commons have sent their officer into the city for delinquents; have sent their committees to exercise jurisdiction in it; and have brought the sheriffs and other officers of the city to their bar, for offences against the Commons of England.



The decency of this apology, in the mouths of the Common Council, may perhaps be called in question. “ 27th Elizabeth, 1584, the House of Commons ordered that the serjeant of this House do forthwith go to the Common Pleas bar, and charge the recorder then pleading there, to make his present repair into this House.” Sir Simon D’Ewes’ Journ. 347. Col. 2.—Judge Berkley was seized by order of one of the Houses of Parliament, while he was sitting on his tribunal. Hume 6th, 413.—“ Anno 31. Hen. VI. When the Commons requested the King and Lords to restore their speaker to them, &c. the judges being demanded of their counsel therein, after mature deliberation, they answered, *It was not their part to judge of the Parliament, which may judge of the law.*” Selden’s Judicature, p. 55. Upon the revival of liberty at the revolution, the House of Commons committed Sir Francis Pemberton and Sir Thomas



Thomas Jones to custody, because, as judges of the King's Bench, they had given judgment to over-rule the plea of the serjeant of the House, in an action brought against him for executing the orders of the House. Magna Charta is above five centuries old; one clause of it is, That no freeman shall be imprisoned but by consent of his peers; *aut per legem terræ*: But as the *Lex Parliamenti* is part of the *Lex Terræ*, the experience of these centuries has shewn, that this clause, contrived against the power of the King and of individuals, was never meant to affect the *Lex Parliamenti*, when the Houses acted within their powers, and quitted not precedent. The charters of the City are as old as the time of the Conqueror, and in one of them in the time of Edward the Third, the King declared, That "no summons, attachment, or  
 " executions, be made by any of the  
 " officers of us or our heirs, by writ

“ or without writ, within the liberty  
 “ of the said City, but only by Minis-  
 “ ters of the said City.” But in all  
 this time, no lawyer hath ever dream-  
 ed that the King’s consent to limit the  
 operation of his own writ, which  
 without such limitation must have  
 been executed in the City by his own  
 officers, could stop the process of the  
 the Courts of Parliament, upon which  
 the King has no power to impose  
 limitations.—Strange, that the Com-  
 mon Council of London should have  
 that courage which the first courts  
 on earth, one of which once ordered  
 the heir apparent of the crown into  
 custody, never possessed ; and that  
 knowlege of law, which the ex-  
 pounders of the law have not :  
 Strange, that the Common Council  
 should find out in the year 1771,  
 what all their predecessors, learned  
 as they were, have been ignorant  
 of since the beginning of the mo-  
 narchy.

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The apology is surely not gracious from men who pretend zeal for liberty. The exclusion of the power of the Commons is not founded in common law, or statute law, or law of Parliament, or in decision of courts; but it is founded upon royal charters, which, it is pretended, give an exemption from the jurisdiction of the Commons. What is this, but to exalt the power of the crown at the expence of the law of the land? What but to maintain that the prerogative of the King can stop the exercise of the unquestionable rights of a House of Parliament? The tendency of the argument is to withdraw three-fourths of the people of England from the jurisdiction of the House of Commons, and to enable the crown to withdraw the rest. For the same pretended exemption by charter which the city of London has, almost every other corporation in the kingdom possesses; and the crown may create new cor-

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porations, with the same exemptions.

But it is fortunate for the people of England, that the doctrine is as weak as it is wicked. It has been agreed by all lawyers since the revolution, I had almost said since the conquest, that all charters of the crown are unavailing against the law of the land, and its jurisdictions. The charter of the city, restored by Parliament at the revolution, restored the city exactly to the condition it was in before its charter was forfeited; that is, it restored it to the highest of all states, its former state of subjection to the rules of the law of England, and to the jurisdictions of England.

The House of Commons is the grand inquest of the nation: By the extent of the field of its inquiry, and the suddenness of its movements, it has hitherto kept in awe the ministers of the crown. These well knew that not



even within the arms of their Sovereign, and much less in the walls of a corporation, could be found sanctuaries against the justice of an irritated House of Commons. But the present claim would make the justice of the Commons depend for the future upon the delays, the indolence, the timidity, or the factions of the mechanics of London. To impair the privileges of the House of Commons, is to weaken their hands; and to weaken their hands, is to sap the democratical part of the government, and to remove the great and perhaps only barrier remaining to the people against the power of the crown. If the people give the first blows to the Base, the Crown will soon follow with others, until, by the repeated efforts of both, the glorious fabric of the constitution shall be tumbled to the ground.

Who asks the introduction of this novelty? Is it the crown which might rejoice at its success, if the crown wished

wished to humble the people by humbling their representatives? Is it the House of Peers which might triumph over the misfortunes of a rival? Is it the great landed interest? Is it the great body of the merchants of England, equal in dignity to the nobility of other countries? Is it the other corporations of the kingdom, who all have the same interest with the city of London in the pretension? Is it the united clamours of the populace, drunk with the cries of liberty as they are, while they thank not Heaven for the daily enjoyment of it? No! It is some dozens of the Common Council of London; a body into which the men of great property and high character in the city avoid to enter, because they like not to associate with mean men, got up by mean arts. These are the persons who would arrogate to themselves the power of controuling one of the great wheels of the machine of the English government; men low in birth, education, degree, fortune,

tune, talents, and virtue. The words I use may seem hard: But persons who are accustomed in publications to throw out falsehoods against others, must submit sometimes to hear truth against themselves; and giving no quarter, they must not expect that they are continually to meet with it.

While the court of Aldermen, whose offices were for life, had a negative upon the resolutions of the Common Council, men saw some chance of relief against their follies. But after a person, whom the populace of London at one time stiled their father, and whose statue at another time they threatened to pull down, had, by his interest in Parliament, got this negative abolished, the situation of the Common Council became alarming indeed. It is very true, that the first liberties of modern Europe took their rise from the cities of Europe; but it is as true, that the liberties of most nations have found their graves in great cities. Athens, Carthage, Rome, are sad monuments



numents of the last of these truths, Great cities are the natural seats of disorder in the lower orders of mankind. Even the sons of industry, though enemies to the vices of the others, contribute to disorder; because, being continually occupied with the objects of industry, they are blind to all others; and incapable of deceit, they are easily deceived. Search all Europe round, and there is no where to be found so much mean profligacy in some, and so much generous credulity in others, as within the bills of mortality; circumstances which enable designing, unquiet, ambitious spirits to turn to their own advantage the crimes, the weaknesses, and even the virtues of their fellow-citizens.

That in the Common Council there are such men, who, with their friends, take such advantages, the experience of several years past has testified. Because they rose into power by im-  
position



position and confusion, they know they can keep it only by the continuance of them : Full of envy against the men of ancient families and great property of this country, they wish to bring all mankind down to their own mean level; if they do not rather wish to be above all, because they are beneath all. Ignorant of the sublime ideas of constitutional liberty, they see not that it consists in the subordination of free men to free laws; but, confounding the principles of equality with those of liberty, they pave the way to the very worst sort of tyranny, the tyranny of the populace. Yet the interests of that populace they consider not, they regard not. To their imaginations alone they pay attention, and would flatter their passions though it ended in their ruin. Having much reason themselves to fear the laws, they wish to weaken them. For after squandering the funds of the city, in imprudence

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and extravagance, they trust, in clamours against others, to drown those which they expect against themselves; and can hope only, in the disgraces of the public, to make their own be overlooked. They began, with the help of their emissaries, by attempting to light up a civil war between two sister nations. They next endeavoured to break the bonds which tie the parent and the child, England and America together. They then raised the people against the Parliament, by promoting addresses to dissolve it. And in the end, they held up the dagger to every Englishman, to plunge it in another Englishman's breast, by asserting that the Parliament was dissolved, and that the people had a right to disobey the laws which it made. Every disorder accompanied and followed such attempts. One of their number declared, in full Parliament, that he would not pay the King's taxes; although willing to draw others into danger, he afterwards

wards shrunk from it himself. Another schooled his Sovereign in public, though his attendants, like owls brought into the light of the sun, shewed modesty, for once, in the presence of a King of England. With an affected decency, when their remonstrance was presented, they caused a mob of only a few hundreds to follow it to the gates of the Palace; but with an insolent display of their power, they, a few days after, brought out a hundred thousand people to shout at their feast; a contrivance, intended, by the contrast, to mark the more strongly to all, that the mob which they could raise they could command. When the great merchants of this great city went in procession with the splendour of Princes, to pour out their sentiments of loyalty and confidence at the foot of the throne, their coaches were broken, their persons insulted, and some of their lives brought into danger. To distress a minister, the men I complain of



scrupled not to distress their country. For they urged her to a naval war, and yet took from her the means of defence, by checking the power of pressing seamen; betraying thus the government and the nation, under the pretence of befriending the people. They opposed in Parliament an undertaking calculated for the conveniency and embellishment of that city they represent, the *emporium totius Europe*, merely because the proprietors happened to be Scotchmen. These men have now finished their career, by refusing obedience to the orders of one of the Houses of Parliament, and ordering the messenger who brought them, to be sent to a gaol.

Yet even they have the assurance to arrogate to themselves the sacred name of Whigs. That generous party disclaims the alliance. The Whigs, in the reign of Charles the Second, instead of setting England and Scotland



land at variance, endeavoured to unite both in the cause of Liberty. They avoided to draw America even into this generous confederacy, lest, under pretence of entering into the parties of England, she might throw off her dependance upon it. They petitioned the King to call Parliaments, not to dissolve them. They taught the people to revere Parliament, not to insult it; to support the House of Commons, not to disobey it; and to maintain that its powers were superior to those of the crown, not that the powers of the crown were superior to its powers. They asserted the rights of the Commons to punish political offences, even beyond the bounds of their privileges, instead of questioning their power to punish them within those bounds: And they forced their Sovereign, in his appeal to his people, to acknowledge those rights in their representatives, which the pretended successors of that party now refuse them. They asked the protection of the  
House

House of Commons for the City, not of the City against the House of Commons; and little dreamed that the day could come, when a part, and the worst part, of the Common Council of London, would measure themselves against all the Commons of England. In some instances they preserved the faith of Parliament, to a Prince who observed none to them; and, instead of weakening the nation, they secured its honour, even in wars which they disapproved.

The late measures of a part of the *Common Council of London* are the exact counterparts of those of the *Privy Council of Charles the Second*; both assaulted that House of Commons which is the bulwark of the Commons. Unhappy state of freedom, where its pretended friends tread in the very same paths with the open abettors of tyranny!

But Providence, which for a thousand years has watched over this  
glorious

glorious constitution, against both the great and the mean, has turned these efforts of despair against their own authors, or to the public good of Britain. The attempt to divide one part of the island from another, has bound that other only the faster to it. The blow aimed through America has been turned aside. The petitions to dissolve Parliament, united Parliament. The doctrine that it was already dissolved, united the nation. The insult upon the person of the King, gave an opportunity to those who had been represented as ill-affected to it, to show how unjust and ungenerous was the suspicion. The mobs who patrolled the streets, brought all who had property to reflect, that the persons who could break the windows of their houses at one time, might break into them at another. That part of the city members which courts a low popularity, divided the House against the aggrandisement of the city, with only ten members at  
their



their backs. And the Magistrates, in their insolence to the Commons of England, have been deserted by many of their own party in the parliament, by most in the city, and by all in the nation.

It is true, these men have been joined in some of their projects of opposition by persons whose characters almost sanctified the wrong. But, unlike to them, some of those persons acted from principle, as far as they went: Others were obliged to yield to principles they disliked, by party-ties, which they knew not how to get rid of: Some thought themselves vindicated in making use of means they disapproved, to get at ends they thought good. And all paid a compliment to the power they opposed, by shewing they were not afraid to offend it. Offend it they could not; because it was known, that the same honour which attached them at one time to a party, would at another, make

make them repent the momentary desertion of a cause which was their own. One of them, who is now no more, once the Minister, once the opposer of the royal measures, but in all situations respected by Parliament, because he respected it, even from the phrensy of party, derived advantage to his country; for he turned the popular current to obtain popular laws, and was met half-way by the Minister he opposed, in the generous struggle who should do most good to the people of England.

Perhaps it has not been one of the smallest demerits of those who assume the name of the city, while their actions are condemned by the greatest and best part of the citizens, that their rashness presented cruel advantages to power against the people, if power had been inclined to seize upon them. But though they may make their Sovereign unhappy, they cannot make him unjust. If his subjects will not,

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by his example, become virtuous, he will at least continue to be so. He knows that the fall of the people will be his fall; that he must be great, just in proportion as they are free; and that when they cease to be so, he will be only the first slave, not the first freeman of his kingdom. I pretend not to flatter a present Minister at the expence of his predecessors, or to raise altars to the living upon the monuments of the dead. Almost all the successive Ministers of the present reign, have had opportunities offered them, by the rashness of the mobs, and of some of the Common Council of London, to wound the liberties of their country, through the sides of the meanest of its members; and all, traduced and abused as they have been, have scorned to make use of them; being more tender of the liberties of the people, than the people are themselves. When 40,000 of the populace insulted the metropolis from end to end of it, and shook the palace with



with their clamours, the law herself presented that sword of justice which the Ministers rejected. The liberty of the press, which those who abused it had laid at the feet of the Ministers, they spared, even amidst all its errors; conscious that it is the palladium of English liberty, and that, although it is easy to distinguish the actions of liberty from those of sedition, it is almost impossible to distinguish their voices. The political crimes of the people they pardoned, because many of these flowed from a generous source. And they respected the opposition which kept the flame of liberty alive, though they knew that its interests were in no danger. Yet one danger they cannot prevent: The day may come, when men may think all the reparation they can make will be too little for the wrongs they have committed, and when in a generous repentance they may offer

concessions to the crown, which its friends will blame him who wears it if he shall not accept, and his own sensibility if he shall.

The Common Council complain that the House of Commons is profligate; and because they cannot trust it, they will not submit to it. It is hoped that House is not what these common railers call it; but if it is, we must sit down in an honest despair, for where is virtue to be found, if the people cannot find it among themselves? And how are men to be trusted who cannot trust one another? Has innocence fled from the country, her common abode, and fixed her seat in the metropolis, where she seldom comes? Has she left the breasts of all the Commons of England, and confined herself to those of the Common Council of London? Is England to trust her liberty to Parliament, which has preserved her constitution for above a thousand

thousand years; or to a populace, which overturned it in one year?

Governments, like all other things, have their periods. The period of a free government is either the tyranny of a Prince, or the anarchy of the people. The last is the most common, or rather is almost always the middle step to the other. Polybius observes, that the encroachments of the people upon the Senate brought anarchy and ruin upon Carthage; and while Rome was still in her glory, he foretold that the insolence of the people would produce anarchy; and that from the anarchy of all, the tyranny of one would arise. His words are these: "During some time after liberty is recovered, and while any of those are alive who had beheld the miseries which flowed from the former unequal government, the people are well pleased to maintain the popular state, and think that nothing  
" is



“ is more valuable than equality.  
 “ But after the course of one or two  
 “ successions, as new men sprung up,  
 “ even these enjoyments, being now  
 “ become familiar to them, began,  
 “ through long use and habit, to be  
 “ lessened in their esteem, and to give  
 “ place to the desire of pre-eminence  
 “ and power. The rich, not content-  
 “ ed with their wealth, but desirous  
 “ to gain power; besides, when they  
 “ are not able to obtain it by their  
 “ own strength and virtue, endea-  
 “ vour to draw the people to their  
 “ side; and thus the frame of the de-  
 “ mocracy is dissolved, and gives  
 “ place to the rule of violence and  
 “ force. If at this time some bold  
 “ and enterprising leader shall arise,  
 “ whose poverty has shut him out  
 “ from all the honours of the state,  
 “ then will commence the govern-  
 “ ment of the multitude, who run  
 “ together in tumultuous assemblies,  
 “ and are hurried into every kind of  
 “ violence;

“ violence; till reduced at last to a  
 “ state of anarchy, they once more  
 “ find a master and a monarch, and  
 “ submit to arbitrary sway.

“ All things are subject to decay  
 “ and change. This is a truth so evi-  
 “ dent, and so demonstrated by the  
 “ perpetual and the necessary course  
 “ of nature, that it needs no other  
 “ proof. Now there are two ways by  
 “ which every kind of government  
 “ is destroyed: either by some acci-  
 “ dent that happens from without,  
 “ or some evil that arises within it-  
 “ self. What the first will be, it is  
 “ not always easy to foresee: But the  
 “ latter is certain and determinate.  
 “ Whoever therefore is able to con-  
 “ nect the beginning with the end in  
 “ this inquiry, will be able also to  
 “ declare with some assurance, what  
 “ will be the future fortune of the  
 “ Roman government. At least, in  
 “ my judgment, nothing is more easy.  
 “ For when a state, after having pass-  
 “ ed

“ ed with safety through many and  
 “ great dangers, arrives at the high-  
 “ est degree of power, and possesses  
 “ an intire and undisputed sovereign-  
 “ ty; it is manifest, that the long  
 “ continuance of prosperity must give  
 “ birth to costly and luxurious man-  
 “ ners, and that the minds of men  
 “ will be heated with ambitious con-  
 “ tests, and become too eager and  
 “ aspiring in the pursuit of dignities.  
 “ And as these evils are continually  
 “ increased, the desire of power and  
 “ rule, and the imagined ignominy  
 “ of remaining in a subject state, will  
 “ first begin to work the ruin of the  
 “ republic: Arrogance and luxury  
 “ will afterwards advance it: And in  
 “ the end, the change will be com-  
 “ pleted by the people: When the  
 “ avarice of some is found to injure  
 “ and oppress them; and the ambi-  
 “ tion of others swells their vanity,  
 “ and poisons them with flattering  
 “ hopes. For then, being inflamed  
 “ with



“ with rage, and following only the  
 “ dictates of their passions, they no  
 “ longer will submit to any controul;  
 “ or be contented with an equal share  
 “ of the administration, in conjunc-  
 “ tion with their rulers; but will  
 “ draw to themselves the intire sove-  
 “ reignty, and supreme direction of  
 “ all affairs. When this is done, the  
 “ government will assume indeed the  
 “ fairest of all names, that of a free  
 “ and popular state; but will in truth,  
 “ be the greatest of all evils, a govern-  
 “ ment administered by a blind and  
 “ unskilful multitude.”

Perhaps an English reader, who  
 looks back upon many occurrences in  
 the present reign, and who looks for-  
 ward to their consequences, may read  
 this passage with some anxiety. When  
 an engine, dangerous and unmanage-  
 able, like the populace, is made use  
 of in the attempts of private ambi-  
 tion, it is full time for the orders of

the state to look to their own interests, and those of the constitution; the Crown to its rights, the Peers to their dignities, and the Gentry to that distinction of ranks, in the confusion of which, though they may gain something, they must lose more. The constitution of England has coped with Kings; it has been bent by Barons; to neither it yielded; by the mob alone it was overturned: Yet in England there is still a defence left to ward off, for some time at least, a repetition of the disgrace; the junction of the great body of men of high rank and large property in the nation, who know well that it is they who must pay for the follies which others who have nothing to lose shall commit. I confess I have often wished, that amongst the many parties of this country, one great intermediate one would arise, which should combine upon the declared principle, that as the members of it believe the constitution

tution can hardly become better, so they will not bear to see it made worse, but will preserve it in the contentions between monarchy and faction, untouched as it stands. The great body of men, to whom I allude, remember, that by those who spoke the language, and set the example of the measures of the present Common Council of London, who spurned at the subordination of Liberty, and held up the standard of equality to the licentious, their ancestors were brought to the scaffold, their palaces burnt, their families attainted; the Hierarchy, the Peerage, the Parliament, even the Law, laid in the dust; their Sovereign murdered, and his children sent to beg in countries through which their ancestors had carried glory and conquest. These men are too great to depend on Kings, too proud to stand in awe of mobs; and it is their interest to keep equally within bounds the usurpa-  
I
tions



tions of the crown, and the insolencies of the rabble: While they exist, a King of England who intends no evil, needs fear none; and when they perish, the sooner a King of England perishes with them, it will be just so much the better.



F I N I S.

